

**REMARKS**

Claims 1-6 and 8-19 remain pending.

**Claims 1-6 and 8-19 over Tendler**

In the Office Action, claims 1-4, 6 and 8-19 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Tendler, U.S. Patent No. 5,555,286 ("Tendler"), with claim 5 rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Tendler. The Applicants respectfully traverse the rejection of the remaining claims.

Claims 1-6 and 8-19 recite, *inter alia*, an apparatus and a method where a base unit and handset are directly interfaced and respond to a predetermined key sequence in an on-hook condition.

Tendler appears to disclose a cellular telephone based emergency vessel/vehicle location system that includes a combined dialer and activation detector in which activation may either be from the cellular phone keypad or from other means. In one embodiment, the dialer and activation detector is actuated from the keypad of the cellular phone, such as 911, \*CG, \*SP or other predetermined activation code.

Tendler teaches a cellular telephone. A cellular telephone's handset transmits to a base station receiver. A cellular telephone does not have an on-hook nor off-hook condition. Tendler fails to teach a cordless telephone handset and base unit that are directly interfaced, much less an apparatus and a method where a base unit and handset are directly interfaced and respond to a predetermined key sequence in an on-hook condition, as claimed by claims 1-6 and 8-19.

The Examiner argues that a cellular phone is not in an "on-hook" condition until after all digits are entered, the cellular phone has on-hook and off-hook conditions as a voice connection may be present or absent (Office Action, page 2). The Applicants respectfully disagree.

On-hook and off-hook conditions are terms of art that represent a telephone that is either in a tone state or a no tone state. A voice connection has nothing to do with being in an on-hook or an off-hook condition. Cellular


networks do not rely on dial tones for operation and therefore **NEVER** enter an on-hook **NOR** an off-hook state. The Examiner has still failed to cite a single reference that discloses or suggests a telephone that responds to a predetermined key sequence in an on-hook condition, as claimed by claims 1-6 and 8-19.

Accordingly, for at least all the above reasons, claims 1-6 and 8-19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

  
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